

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 12/14/2010 has been entered.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 12/14/2010 was filed after the mailing date of the Notice of Allowance on 11/12/2010. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Rodack on 11/4/2010.

Amendments to the Claims

The application has been amended as follows:

1-74. (Canceled)

75. (Currently amended) A system comprising:

a digital home communication terminal (DHCT) configured to receive media content from a remote location over a network, the DHCT comprising: a hard disk drive; a memory having application software; and

a processor configured with the application software to provide a first graphics user interface (GUI) comprising download options for the reception of purchasable and recordable media (PRM) content and a second GUI comprising plural media content choices for which the download options do and do not pertain, the PRM content comprising content that is purchased one-time for indefinite use, the processor further configured with the application software to request from the remote location a download of a first PRM content to the hard disk drive, the first PRM content selected by a user from the second GUI, the download independent of a playback rate for the first PRM content, the first GUI comprising plural user-selectable download durations for the first PRM content, wherein the first GUI comprises a download option list, the download

Art Unit: 2426

option list comprising a selectable first option to download the first PRM content immediately and a selectable second option to delay the download of the first PRM content according to a first duration, wherein the first GUI further comprises a price window having a monetary value that varies depending on which of the selectable first or second options of the download option list is selected, the price window comprising a field within the first GUI.

76. (Canceled)

77. (Currently amended) The system of claim ~~76~~ 75, wherein the download option list comprises a selectable third option to delay the download of the first PRM content according to a second duration.

78. (Currently amended) The system of claim ~~76~~ 75, wherein the plural user-selectable ~~rates~~ download durations are presented to a user as choices of different times of a day when a download is complete.

79. (Currently amended) The system of claim ~~76~~ 75, wherein the plural user-selectable ~~rates~~ download durations are presented to a user as choices of same start, varying end periods of a day when a download is complete.

80-81. (Canceled)

82. (Currently amended) The system of claim ~~76~~ 75, wherein the download option list comprises plural download options for a trial purchase of PRM content.

83. (Canceled)

84. (Previously presented) The system of claim 75, wherein the second GUI comprises an interactive program guide (IPG), the IPG comprising a grid having channel identifiers, titles, and corresponding scheduled presentation times, the titles corresponding to broadcast media content for which the download options do not pertain, the titles further corresponding to media content that also comprise PRM content associated with the download options, the titles corresponding to the media content associated with the download options having a non-channel identifier indicator in proximity to the title, the indicator suggesting to the user that the media content associated with the download options can be downloaded.

85. (Previously presented) The system of claim 75, wherein the second GUI comprises an interactive program guide (IPG) with access by the user to a service guide via a service guide option presented in the IPG, the IPG further comprising a grid having channels and titles corresponding to the channels.

86. (Previously presented) The system of claim 85, wherein the processor is further configured with the application software to, responsive to the user selection of the service guide option, present a third GUI comprising the service guide, the service guide comprising a plurality of media content options with at least one of the media content options associated with the download options and at least one of the media content options not associated with the download options.

87. (Previously presented) The system of claim 86, wherein the at least one of the media content options associated with the download options includes an option to download at least one of pay per view media content, video on demand media content, music media content, software media content, and game media content.

88. (Previously presented) The system of claim 75, further comprising a secondary storage device coupled to the DHCT, wherein the processor is further configured with the application software to transfer downloaded PRM content stored on the hard disk drive to a medium residing in the secondary storage device.

89. (Previously presented) The system of claim 88, wherein the processor is further configured with the application software to provide a fourth GUI that enables the user to archive the PRM content received to the secondary storage device.

90. (Previously presented) The system of claim 89, wherein fourth GUI comprises preconfigured lists including a media content list, genre/descriptive list, and medium list, wherein a list entry block for at least one of the preconfigured lists is highlighted as a default entry based on metadata associated with the PRM content residing on the medium.

91. (Previously presented) The system of claim 89, wherein the fourth GUI comprises at least one of an option to enable a user to configure a characterization of the PRM content residing on the medium and an option to search for PRM content residing on the medium.

92. (Currently amended) A method, comprising:
providing by a processor of a digital home communications terminal (DHCT) a first graphics user interface (GUI) at the DHCT ~~a digital home communications terminal (DHCT)~~, the first GUI comprising download options for the reception of purchasable and recordable media (PRM) content, the PRM content comprising content that is purchased one-time for indefinite use and downloadable at a playback-independent rate, the first GUI comprising plural user-selectable download durations for the PRM content;

providing a second GUI at the DHCT, the second GUI comprising plural media content choices for which the download options do and do not pertain;

providing a plurality of download options a download option list and a price window in the ~~second~~ first GUI, the download option list comprising the download options, a monetary value in the price window differing depending on which of the plurality of download options are selected, the price window comprising a field within the ~~second~~ first GUI;

providing an interactive program guide (IPG) in the second GUI, the IPG comprising a grid having titles and corresponding scheduled presentation times, the titles corresponding to broadcast media content for which the plurality of download options do not pertain, the titles further corresponding to media content that also comprise PRM content and that are associated with the plurality of download options, the titles corresponding to the media content associated with the plurality of download options having an indicator in proximity to the title, the indicator suggesting to the user that the media content associated with the plurality of download options can be downloaded; and

requesting a download of a first PRM content from a remote location to a hard disk drive coupled to the DHCT at one of the plural user-selectable download durations, the first PRM content selected by a user from the second GUI.

93-94. (Canceled)

95. (Previously presented) The system of claim 75, wherein the processor is further configured with the application software to receive the first PRM content at the

Art Unit: 2426

user-selected download rate using bandwidth reclaimed from excess video on demand bandwidth, the excess video on demand bandwidth reclaimed from bandwidth previously allocated for a VOD presentation having a session terminated before expiration of the VOD presentation rental period.

96. (Previously presented) The system of claim 75, wherein the network comprises a hybrid fiber coaxial (HFC) network.

97. (Currently amended) The method of claim 92, further comprising receiving the first PRM content at the user selected download ~~rate~~ duration.

98. (Previously presented) The method of claim 97, wherein the first PRM content is received using bandwidth reclaimed from excess video on demand bandwidth, the excess video on demand bandwidth reclaimed from bandwidth previously allocated for a VOD presentation having a session terminated before expiration of the VOD presentation rental period.

99. (Currently amended) The method of claim 92, wherein the user-selected download ~~rate~~ duration is independent of a playback rate of the first PRM content.

Reasons for Allowance

4. Claims 75, 77-79, 82, 84-92 and 95-99 are considered allowable since when reading the claims in light of the specification (MPEP § 2111.01) or *In re Sneed*, 710 F.2 1544, 1548, 218 USPQ 385, 388 (Fed. Cir. 1983), none of the references of record alone or in combination disclose or suggest the combination of limitations specified in independent claim 75, wherein the Applicant discloses wherein the first GUI further comprises a price window having a monetary value that varies depending on which of the selectable first or second options of the download option list is selected, the price window comprising a field within the first GUI.

The closest prior art of *Hoang* (U.S. Patent No. 6,557,030 B1), discloses a system and method for providing video on demand services for broadcasting system. The DOD system includes central controlling server, a central storage and a plurality of channel servers. When access is granted, the decoder decodes data blocks to transform into images displayable on an output screen, where the decoder supports commands for a subscribing client. The DOD interactive features permit a client to select at any time an available data file.

The prior art of *Kusaba* (U.S. Patent No. 6,510,556 B1), discloses a video distribution apparatus for storing video data and distributing it to a viewer has a memory for video data and a schedule table for holding a distribution schedule of the stored video data. A controller controls the distribution of the stored video data. A reservation request includes a title of the video data to be distributed, a channel to be used for

distribution of the video data of the title, and information to designate a time to start the distribution.

The prior art of *Lett* (U.S. Patent No. 5,592,551 A), discloses a television system that includes an electronic program guide giving a schedule of programs available on the television system including pay-per-view and video-on-demand programs. The user may select programs for watching or recoding directly from the electronic program guide, where the selected programs may include pay-per-view and video-on-demand programs, which may be purchased directly from the guide.

The prior art of *Hicks* (U.S. Pub. No. 2004/0261112 A1), discloses multimedia on demand services that can be provided by automatic downloading of selections of multimedia content items to a mass storage device. A user can select usage (e.g. playing, purchasing) of the locally stored multimedia content items, and that usage can be reported to the multimedia on demand service provider.

However, none of the references alone or in combination teach wherein the first GUI further comprises a price window having a monetary value that varies depending on which of the selectable first or second options of the download option list is selected, the price window comprising a field within the first GUI.

Inter alia, independent claim 92, wherein the Applicant discloses providing a download option list and a price window in the first GUI, the download option list comprising the download options, a monetary value in the price window differing depending on which of the plurality of download options are selected, the price window

Art Unit: 2426

comprising a field within the first GUI, is allowed for reasons similar to those cited above.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Correspondence Information

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to KYU CHAE whose telephone number is (571)270-5696. The examiner can normally be reached on Mon-Fri, 8 a.m. - 5 p.m.; EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOSEPH HIRL can be reached on (571)272-3685. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2426

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. C./

Examiner, Art Unit 2426

/Joseph P. Hirl/

Supervisory Patent Examiner, Art Unit 2426

December 18, 2010